

1 LISA A. RASMUSSEN, ESQ.
 2 Nevada Bar No. 7491
 3 **MCLETCHE LAW**
 4 602 South Tenth Street
 5 Las Vegas, NV 89101
 6 Telephone: (702) 728-5300; Facsimile: (702) 425-8220
 7 Email: Lisa@nvlitigation.com; efile@nvlitigation.com

8 *Attorney for Defendant LATISHA BABB*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 LATISHA BABB,

12 Petitioner,

13 Case No.: 2:05-CV-0061 RFB -VCF

14 vs.

15 JENNIFER LOZOWSKY,

16 Respondent.

17 **UNOPPOSED MOTION FOR
 18 EXTENSION OF TIME TO FILE
 19 SUPPLEMENT REGARDING
 20 REMAINING ISSUES; and ORDER
 21 (Third Request)**

22 COMES NOW the Petitioner, Latisha Babb, by and through her counsel, Lisa A.
 23 Rasmussen, Esq., of McLetchie Law, and hereby respectfully requests that this Court extend
 24 the time for filing of supplemental briefs in compliance with the Court's minute order dated
 25 June 26, 2024, by thirty-one (31) days, to **November 12, 2024**.¹ See ECF No. 138. The
 26 order originally directed the parties to submit briefs on or before, July 12, 2024. *Id.* This is
 27 Ms. Babb's third request for an extension of time.

28 ¹ Thirty days from the current October 11, 2024, deadline falls on Sunday, November 11, 2024, a non-judicial day. The next judicial day is Monday, November 12, 2024.

1 On July 11, 2024, Ms. Babb requested a first extension of time to file her brief to
2 September 13, 2024, a sixty-day (60) extension of time. *See* ECF No. 139. That request was
3 unopposed and it was approved by the Court. *See* ECF No. 140.

4 On September 13, 2024, Ms. Babb requested a second extension of time to file her
5 brief to October 11, 2024, a thirty-day (30) extension. *See* ECF No. 142. That request was
6 unopposed and it was approved by the Court. *See* ECF No. 143.

7 Counsel for Ms. Babb respectfully requests an additional 30 days to file the
8 supplemental brief. This request is unopposed by the State and is made and based upon the
9 following:

10 1. This is a 2005 case that has been to the Circuit and back and has been before
11 this Court for some time. The record in this case is very large and the supplement requires
12 citation to facts that are relevant to the supplement that require additional review and
13 parsing.

14 2. The undersigned is in the middle of a state death penalty murder trial. *See*
15 *State v. Trotter*, Eighth Judicial District Court, Clark County, Nevada, Case No. C-18-
16 335785-1. While the undersigned endeavored to complete the brief by the current deadline,
17 unexpected events concerning the preparation for this death penalty trial consumed all of
18 the undersigned's available time and she was unable to complete the brief by the current
19 deadline.

20 3. The state is also not opposed to this request and accordingly, it is requested
21 that the deadline for both parties be extended to November 12, 2024, a period of 31 days.

22 4. Ms. Babb is not opposed to this request.

23 5. This request is not made for the purpose of delay.

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For each of these reasons, it is respectfully requested that this Court enter an order extending the present deadline to November 12, 2024. A proposed order is below.

DATED: October 11, 2024. Respectfully submitted,

McLetchie Law

/s/ Lisa Rasmussen

LISA A. RASMUSSEN, ESQ.

602 South Tenth Street

Las Vegas, NV 89101

Telephone: (702) 728-5300

Lisa A. Rasmussen, Esq. (NV Bar 7491)

Attorneys for Petitioner, Latisha Babb

ORDER

Upon Petitioner's unopposed Motion, and good cause appearing,

IT IS HEREBY ORDERED that the parties shall submit any supplemental briefs in compliance with this Court's order at ECF 138 on or before November 12, 2024.

Dated: 10/15/2024



Richard F. Boulware
United States District Judge

CERTIFICATE OF SERVICE

I HEREBY certify that I served a copy of the foregoing: **UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE SUPPLEMENT REGARDING REMAINING ISSUES; and ORDER (Third Request)** with the clerk of this Court for the United States District Court by using the court's CM/ECF system on the 11th day of October, 2024, and that all participants who have appeared in this case are registered CM/ECF users and that service will be accomplished through the CM/ECF system as follows:

AARON D. FORD
Attorney General
MATTHEW S. JOHNSON
State of Nevada
Office of the Attorney General
100 North Carson Street
Carson City, NV 89701-4717
Phone: (775) 684-1134
Fax: (775) 684-1108
msjohanson@ag.nv.gov
Attorneys for Respondents

/s/ Alexander Loglia
An employee of McLetchie Law